

hydroxyl, thiol, keto, carboxyl, NR^1R^2 , CONR^1 , amidine, guanidine, glutamyl, nitro, nitrate, nitrile, trifluoromethyl, trifluoromethoxy, NH-alkyl, N-dialkyl, O-aralkyl, S-aralkyl, NH-aralkyl, azido, hydrazino, hydroxylamino, sulfoxide, sulfone, sulfide, disulfide, silyl, a nucleosidic base, an amino acid side chain, or a carbohydrate[, a drug or a group capable of hydrogen bonding]; and each j and e is 0 or 1, with the sum of J and e equal to 1.--

In claim 5, please delete "has" and insert therefor --bears--.

Please cancel claims 6, 13, 24-30, and 34-36 without prejudice.

REMARKS

Upon entry of the amendments described above, claims 2-5, 7-12, and 33 remain pending. Claims 6, 13, 24-30, and 34-36 have been canceled. Claims 5 and 33 have been amended. No new matter has been added.

Claims 2-5, 7-12, 24-26 and 33 have been rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Although Applicant disagrees with the assertions of the Office Action and believe that the terms (1) Metal coordination group; (2) Conjugate group; (3) Drug; and (4) Group capable of hydrogen bonding are readily discernable by one skilled in the art, these terms have been deleted from the claims solely to advance prosecution. Additionally, claims 24-26 have been canceled. As such, the present rejection is moot, and Applicant respectfully requests that the rejection of claims 2-5, 7-12, 24-26 and 33 under 35 U.S.C. §112, first paragraph, be withdrawn.

Claims 2-5, 7-12, 24-26 and 33 have been rejected under 35 U.S.C. §112, first paragraph, as allegedly not providing enablement for any chemical substituent (L) that is a (1) Metal coordination group; (2) Conjugate group; (3) Drug; or (4) Group capable of hydrogen bonding. Although Applicant disagrees with the assertions of the Office Action, the rejection is moot for the reasons

stated above. Accordingly, Applicant respectfully requests that the rejection of claims 2-5, 7-12, 24-26 and 33 under 35 U.S.C. §112, first paragraph, be withdrawn.

Claims 24-26 have been rejected under 35 U.S.C. §112, first paragraph, as allegedly not providing enablement for any mixture having antibacterial effect and/or having various activities. Although Applicant does not necessarily concur with this view, claims 24-26 have been canceled thereby rendering this rejection moot.

Claims 5, and 24-26 have been rejected under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Although Applicant does not necessarily concur with this view, claim 5 has been amended in accordance with the Examiner's recommendation. Additionally, claims 24-26 have been canceled. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 5 under 35 U.S.C. §112, first paragraph.

Claims 2-5, 7-12 and 33 stand rejected under 35 U.S.C. § 102(a) for allegedly being anticipated by Gordeev *et al.*, WO 96/33972, (referred to hereinafter as "Gordeev"). Applicant traverses the rejection because Gordeev does not teach every element of the claimed invention.

The Office Action mistakenly states that the library compounds of Gordeev have the claimed heterocyclic scaffold and substitution pattern, directing Applicant to pages 34-35 and 81. The structure on page 34 has an X moiety at the 5 position of the pyrimidine ring which is required to be other than H (X is defined at page 35, starting at line 5). Applicant's compounds do not read on these compounds. The compounds listed on page 81 of Gordeev have functional groups attached to the pyrimidine ring without tether moieties such as R₃ and R₄. As amended the compounds of the present mixtures all require that the tether moiety be other than a single bond. Support for this amendment can be found in the specification, especially the mixtures/libraries of the examples (see libraries 59-62, examples 109-113). As the claimed invention is not anticipated by the Gordeev reference, reconsideration and withdrawal of the rejection of claims 2-5, 7-12, and 33 under 35 U.S.C. § 102(a) are respectfully requested.

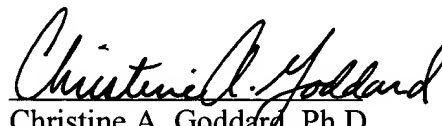
Claims 2-5, 7-12, 24-26 and 33 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pat. No. 5,998,420 (referred to hereinafter as "Grandoni") in view of U.S.

Pat. No. 5,591,694 (referred to hereinafter as "Hamprechet") in further view of Gordon *et al.*, *J. Med. Chem.*, **1994**, 37, 1385-1401 (referred to hereinafter as "Gordon"). Applicant traverses the rejection because, inter alia, the combination of references does not produce the claimed invention.

The Office Action mistakenly states that the sulfonylurea herbicides of Grandoni and Hamprechet read on compounds of the claimed mixtures. No selection of tether T and letter L of the claimed compounds, however, will give the thiourea compounds reported in Grandoni and Hamprechet. Furthermore, the Gordon reference merely reports general aspects of combinatorial organic synthesis and does not, in any way, remedy the deficiencies of Grandoni and Hamprechet. Thus, the combination of references does not produce the claimed invention. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2-5, 7-12, 24-26 and 33 under 35 U.S.C. § 103(a).

It is believed that all of the claims presently before the Examiner patentably define the present invention over the prior art and are in condition for allowance. An early Office Action to that effect is, therefore, earnestly solicited.

Respectfully submitted,


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